

REMARKS / ARGUMENTS

Applicant has elected Group III, claims 12-17 with traverse and has canceled claims 1-11. Applicant believes that at least Groups II and III should not be restricted from each other because claim 11 (the only claim in Group II) is a process that can not be practiced with another materially different product. Although the Examiner has argued that in the invention of claim 13 “the method can be used dispensing [sic] paper towels in the kitchen” (Detailed Action mailed March 3, 2005 at page 3, lines 12 and 13) Applicant respectfully disagrees. The preamble of claim 11 recites “[a] method for dispensing a **wind screen**, wherein the wind screen includes a flexible sheet of material having a length and a width, wherein **stakes are attached at intervals to the sheet**”. The wind screen’s structure is further restricted to having stakes “perpendicular to the length of the flexible sheet.” Thus, claim 11 does not read on a paper towel dispenser.

In keeping with the terminology of the specification, “rod” has been changed to “stake” and a stake that is placed into the ground is referred to as a “supporting stake”.

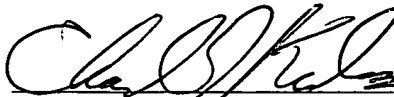
The present claims include limitations not disclosed by nor made obvious in view of the prior art. Note that the original (and present) claim 12 requires the stakes be “held adjacent and substantially parallel to each other”. In Moffitt’s Figure 2, the stakes at the attachment portions are not “adjacent” because they remain separated at different ends of the awning structure. In Moffitt’s Figure 3 the two stakes held “adjacent” by the “third attachment portion” are not “first and second stakes attached to a flexible sheet” because they belong to two different awning structures.

Applicant has narrowed claim 12 even further by reciting that the stakes are “perpendicular to a direction of elongation of the flexible sheet” and are “separated by a portion of the flexible sheet along the direction of elongation.” In other words, the wind screen has the basic structure shown in all of the Figures. See, for example, Figure 8. Note that in Moffitt, if the stakes are considered separated along a direction of elongation of the sheet, then they are parallel to the direction of elongation of the sheet.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-279-5098.

Respectfully submitted,

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Date


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